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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/735,668

12/16/2003

Dov Moran

246/234

2836

7590 08/01/2007
DR. MARK FRIEDMAN LTD.
C/o Bill Polkinghorn
Discovery Dispatch
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EXAMINER

NORRIS, JEREMY C

ART UNIT

PAPER NUMBER

2841

MAIL DATE

DELIVERY MODE

08/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/735,668	Applicant(s) MORAN, DOV	
	Examiner Jeremy C. Norris	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10,11,15,17,20,21 and 23 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 10,11 and 20 is/are allowed.
- 6) ☒ Claim(s) 15,17,21 and 23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12 March 2007 has been entered.

Double Patenting

Applicant is advised that should claim 15 be found allowable, claim 23 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 15, 17, 21 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,097,086 (Crane).

The Examiner notes that it has been held that the recitation that an element is “for” performing a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. *In re Hutchison*, 69 USPQ 138.

Crane discloses, referring primarily to figure 78, an electronic module, comprising: (a) electronic circuitry (11); (b) a first electrical connection mechanism (17), directly operationally connected to said electronic circuitry, for mounting of the electronic module by a first method; and (c) a second electrical connection mechanism (40), directly operationally connected to said electronic circuitry, for mounting of the electronic module by a second method different from said first method; wherein mounting using only one of said connection mechanisms suffices to render the electronic module fully operational (col. 36, lines 15-30) [**claim 15**].

Additionally, Crane discloses, an electronic module, comprising: (a) electronic circuitry (11); (b) a first connection mechanism (40), operationally connected to said electronic circuitry, for mounting of the electronic module on a printed circuit board by robotic mounting; and (c) a second connection mechanism (17), operationally connected to said electronic circuitry, for mounting of the electronic module on a printed circuit board by manual mounting; wherein mounting using only said first connection mechanism suffices to render the electronic module fully operational; and wherein mounting using only said second connection mechanism suffices to render the electronic module fully operational [**claim 17**].

Also, Crane discloses, an electronic module, comprising: (a) electronic circuitry (11); (b) a first connection mechanism (17), operationally connected to said electronic circuitry, for mounting of the electronic module on a printed circuit board by a first method; and (c) a second connection mechanism (40), including at least one electrically conducting pad (not specifically referenced, but shown at the end of leads 40), and operationally connected to said electronic circuitry, for mounting of the electronic module on a printed circuit board by a second method different from said first method; wherein mounting using only said first connection mechanism suffices to render the electronic module fully operational; and wherein mounting using only said second connection mechanism suffices to render the electronic module fully operational [**claim 21**].

Similarly, Crane discloses, an electronic module, comprising: (a) electronic circuitry (11); (b) a first connection mechanism (17), directly operationally connected to said electronic circuitry, for mounting of the electronic module by a first method; and (c) a second connection mechanism (40), directly operationally connected to said electronic circuitry, for mounting of the electronic module by a second method different from said first method; wherein mounting using only one of said connection mechanisms suffices to render the electronic module fully operational (col. 36, lines 15-30) [**claim 23**].

Allowable Subject Matter

Claims 10, 11, and 20 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: Claim 20 states the limitation "wherein said second connection mechanism includes at least one electrically conducting pad". This limitation, in conjunction with the other claimed features, was neither found to be disclosed in, nor suggested by the prior art.

Response to Arguments

Applicant's arguments filed 13 March 2007 have been fully considered but they are not persuasive. Applicant alleges, regarding Crane, "the semiconductor die carrier of Figures (sic) 78 must be mounted using all its leads **18** and **40** to be fully operational" (emphasis original). However, this is not the intended function of the device of Crane. Crane specifically states that the device "particularly well suited to allow for the direct stacking of semiconductor die carrier packages" (col. 36, lines 25-30). It would be readily understood by the ordinarily skilled artisan that such a stack of these devices would result in at least the 'top' stacked device would be connected by only one of the connection mechanisms. Thus it naturally follows that the device only requires one of the connection mechanisms to be fully operational. Additionally, Crane discloses how the device may be used in a stack (col. 23, lines 1-25) and displays one such device (figure 40) connected only using one of the connection mechanisms (figure 41). Thus, the implication that the device of Crane cannot be rendered fully operational by connection using only one connection mechanism is not well founded. Hence, the traversal of the instant rejection on this ground is deemed unsuccessful.

Conclusion

All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy C. Norris whose telephone number is 571-272-1932. The examiner can normally be reached on Monday - Friday, 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2841

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Patent Examiner - Technology
Center 2800
Art Unit 2841

JCSN